

PATENT COOPERATION TREATY

PCT



INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference	FOR FURTHER ACTION	RACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)						
International application No.	International filing date (day)	month/year)	Priority date (day/month/year)					
PCT/FR2003/000321	03 février 2003 (03.	2.2003)	05 février 2002 (05.02.2002)					
International Patent Classification (IPC) or national classification and IPC H04L 12/56								
Applicant								
	FRANCE TELECO	M et al.						
 This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36. 								
2. This REPORT consists of a total of _	2. This REPORT consists of a total of 5 sheets, including this cover sheet.							
This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).								
These annexes consist of a total of 3 sheets.								
3. This report contains indications relating to the following items:								
I Basis of the report								
II Priority	II Priority							
III Non-establishment o	of opinion with regard to nove	ty, inventive st	tep and industrial applicability					
IV Lack of unity of inve	IV Lack of unity of invention							
V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;								
VI Certain documents cited								
VII Certain defects in the	VII Certain defects in the international application							
VIII Certain observations on the international application								
Date of submission of the demand Date of completion of this report								
25 août 2003 (25.08.2003)		11 June 2004 (11.06.2004)						
Name and mailing address of the IPEA/EP	Author	Authorized officer						
Facsimile No.	Telepho	Telephone No.						

Form PCT/IPEA/409 (cover sheet) (January 1994)

	cle 14 are referred to	on the basis of in this report a	(Replacement shee s "originally filed"	ets which have been furnished to the receiving Office in response to an invitation and are not annexed to the report since they do not contain amendments.):
			originally filed.	,
\boxtimes	the description,	pages	1-11	_, as originally filed,
		pages		_, filed with the demand,
		pages		, filed with the letter of
		pages		, filed with the letter of
\boxtimes	the claims,	Nos.		_ , as originally filed,
		Nos		_ , as amended under Article 19,
		Nos		_, filed with the demand,
		Nos	1-9	, filed with the letter of 05 May 2004 (05.05.2004)
		Nos		, filed with the letter of
\boxtimes	the drawings,	sheets/fig	1/2-2/2	_ , as originally filed,
				_ , filed with the demand,
		sheets/fig		, filed with the letter of
				, filed with the letter of
	ments have resulte the description,			
	•			
<u></u>	the drawings,	sheets/fig		
	beyond the disclos	ouro ao mea, as	s indicated in the	endments had not been made, since they have been considered Supplemental Box (Rule 70.2(c)).

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International application No.					
PCT	03/00321				

v.	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement						
1.	Statement						
	Novelty (N)	Claims	1-9	YES			
		Claims		NO			
	Inventive step (IS)	Claims	1-9	YES			
		Claims		NO			
	Industrial applicability (IA)	Claims	1-9	YES			
		Claims		NO			

2. Citations and explanations

Reference is made to the following documents:

D1: US-B1-6 272 151 (CHEN YU-REN BRIAN ET AL) 7 August 2001 (2001-08-07)

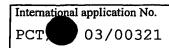
D2: WO 01/26301 A (WIPLIEZ CHRISTIAN; FARCY DAVID (FR); BOURBAO MICHEL (FR); FRANCE T) 12 April 2001 (2001-04-12)

Document D1, which is considered to be the prior art closest to the subject matter of claim 1, describes (the reference signs between parentheses apply to this document):

A method for conveying at least one first stream with a first service quality and at least one second stream transmitted with a second service quality to a single customer terminal (column 30, lines 37-41), via a content server after network resources having a service quality have been reserved (column 31, lines 22-29), characterised in that it further comprises the following steps:

- establishing a high-rate connection between the customer terminal and the content server (column 31, lines 22-29),

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- multiplexing the first and second streams into a single stream (figure 22 and column 31, lines 30-37), and
- transmitting the resulting multiplex to the customer terminal via said high-rate connection (figures 1 and 21 to 24, and column 30, lines 15-65).

The subject matter of claim 1 differs from document D1 in that the reservation of network resources having a service quality is achieved by exchanging messages over a non-connected network.

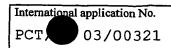
The objective problem that the present invention is intended to solve can thus be considered to be that of using the existing control means of a non-connected network to establish a high-rate connection enabling data to be transmitted with a guaranteed service quality.

Neither this problem nor the solution thereto are described or suggested in the above-mentioned document D1.

It should be noted that although document D2, which is cited by the applicant, describes a method for reserving the network resource with a service quality by exchanging messages over a non-connected network, it would never occur to a person skilled in the art to combine the subject matter of document D1 with that of D2, since the problem solved by document D2 is not suggested at all in D1.

It follows that the subject matter of claim 1 is novel (PCT Article 33(2)) and involves an inventive

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step (PCT Article 33(3)).

3. In system terms, the subject matter of independent claim 5 matches the subject matter of method claim 1.

For reasons similar to those discussed under point 2, it may be concluded that the subject matter of claim 5 is also novel and inventive.

4. Claims 2 to 4 and 6 to 9 are all dependent on claims 1 or 5 and therefore are also novel and inventive.